

JOSEPH B. JOYAL.

[To accompany bill H. R. No. 794.]

JANUARY 30, 1857.

Mr. K. MILLER, from the Committee on Revolutionary Pensions, made the following

REPORT.

The Committee on Revolutionary Pensions, to whom was referred the petition of Joseph B. Joyal, praying for bounty land on account of the services of his father in the revolutionary war, and for increase of pension, report:

That as appears from the evidence and papers on file in the Pension Office, and sent down to your committee at their request, the father of the petitioner, John B. Joyal, at the breaking out of the revolutionary war, was an inhabitant of Canada, and on the approach of General Montgomery's army in Canada, in 1775, he joined the continental regiment, commanded by Col. James Livingston, in Captain Paulent's company, and was detached and went with Col. Ethan Allen to the attack of Montreal, when taken prisoner; made his escape and joined his said regiment and marched to Quebec; and was present and engaged in the battle when General Montgomery was killed. That after raising the siege of Quebec, and on the retreat of the American army, his regiment was engaged in the battle at Three Rivers, where he was made a prisoner, with some others, and sent to Sorel, where he was tried by a court martial and condemned to hard labor during the war, and if found again in arms was to be shot. That he was removed to Isle-aux-Noix, where he was compelled to labor on the fortifications for two years and upwards, and then let out on parol to his home, at Belisle, to the end of the war. In 1792, he, with his son, the petitioner, moved into the State of Vermont and was pensioned under the act of June 7, 1832, and died at Swanton, Vermont, the 23d December, 1848, at the age of one hundred and eight years.

It further appears from proclamations by authority of Congress (see Journals of Congress, 1774, vol. 1, pages 40 to 48, 74 to 76, and 245 to 246) that inducements and promises of protection were made to the Canadians if they would join us in our independence. And again Congress "resolved that provision ought to be made by law for donating of land to the refugees from the British provinces of Canada and Nova Scotia, pursuant to the resolves of Congress of the 23d of

April, 1783, and the 13th of April, 1785," (see Journals of Congress, vol. 2, page 632.) It appears that Congress, in addition to what New York granted to the Canadian and Nova Scotia refugees, allowed to privates 100 acres of land, and that New York allowed 500 acres, making 600 acres to each soldier, but in the returns made the name of said Joyal was omitted, and consequently did not receive his quota of land as other Canadians did. And there remains no more lands set apart for that purpose in New York. Said Joyal, in effect, served through the whole war, if the time allowed for his imprisonment and parol is admissible.

Your committee can see no good reason why the promises to them should not be carried out by the United States, in whose service he engaged, nor why he should not receive the same quantity of land that the heads of other Canadian families received. An increase of pension is prayed for. But your committee do not see any reason for increasing his pension which would not as well apply to thousands of others in like circumstances, and they, therefore, ask to be discharged from further consideration of the increase of pension.

And they report a bill for the bounty lands his father did not receive.